

**REMARKS**

Claims 1, 15 and 18 are amended. Claims 1-18 remain in the case.

Claims 1-2, 8, 9, 12, 14-18 were rejected under 35 USC 102(b) as being anticipated by Wade. Claim 1 has now been amended to include the feature of the heating means including a resistance wire embedded in an electrically conductive material; and a thermally conductive mass molded to the heating means providing direct contact to the heating means for imparting heat to the thermally conductive mass. Wade does not show or disclose a heating means including a resistance embedded in an electrically conductive material. Wade teaches away from the feature by disclosing a heating means including a resistance wire. However, the resistance wire in Wade is embedded in an insulating material 13. Further claim 1 requires the thermally conductive mass molded to the heating means wherein the heating means is at least partially encapsulated in the mass providing direct contact with the mass for imparting heat to the thermally conductive mass. Wade does not show or disclose this structural limitation. Wade only discloses a casing 10 having a recess for receiving the plate and heating element. The Examiner states that the method of making a device does not distinguish the device from the prior art having the structure claimed. However, the structure in the present invention is different than the structure in Wade. A heating means inserted into a recess of a mass (Wade) is NOT the same structurally as the heating means molded to the mass. The structure of the molded mass to the heating means in the present invention eliminates air gaps between the mass and heating means that would be present in the Wade structure. Therefore, claim 1 is believed to be allowable over Wade.

Regarding claim 15, Wade does not show or disclose the step of providing a heater means having a resistance wire embedded in an electrically conductive material. Further, Wade does not show or disclose the step of molding a thermally conductive material into a mass having a fluid flow path formed therein to the heater means.

Regarding claim 18, Wade again does not show or disclose the two method steps in 18 that are the same as or similar to the step in claim 15 as previously discussed further. Further, Wade does not show or disclose the step of fixably mounting the heater means in a mold cavity or introducing a thermal conductive material into the mold cavity as now required in amended claim 18.

Therefore claims 1, 15 and 18 are believed to be allowable and overcome the rejection under 35 USC 102(b) as being anticipated by Wade. The associated dependent claims ultimately dependent upon claims 1, 15 or 18 are now also believed to be allowable.

Claims 15, 17-18 were rejected under 35 USC 102(b) as being anticipated by Bochud (U.S. Patent No. 6,243,535). Bochud does not show or disclose the step of providing heater means having a resistance wire embedded in an electrically conductive material.

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Further, Bochud does not show or disclose molding a thermally conductive material into a mass having fluid flow path formed therein to the heater means. Bochud discloses injection molding aluminum to entirely surround the heating bodies 2 and 3. However, the molten aluminum that surrounds the heating bodies does not have a fluid flow path formed therein. Therefore, Bochud does not show or disclose every step of claim 15.

Claims 15-18 are rejected under 35 USC 103 (a) as being unpatentable over Wade in view of the common knowledge and the art as evidenced by Bochud. The rejection of claims 15-18 are traversed. The Examiner states that Bochud discloses insert molding a heater in a thermally conductive body in order to entirely surround and ensure upon shrinking or cooling, the securement of the heating element. The Examiner further states that it would have been obvious to one of ordinary skill in the art to insert mold the heater in the thermally conductive mass for the reasons delineated above. Regarding now amended claims 15-18, Bochud does not show or disclose molding a thermally conductive material into a mass having a fluid flow path formed therein to the heater means. Bochud only discloses molding aluminum around the heater means or heater bodies 2 and 3. The molten aluminum does not provide the thermally conductive material having a fluid flow path as required in the claim 15. Bochud only uses the molding of the aluminum to the heater bodies for connection to the receptacle 7 which is not part of the flow path (a separate tube). Neither Wade nor Bochud show or disclose directly heating a thermally conductive material having a fluid flow path formed therein.

Claims 2-4 were rejected under 35 USC 103(a) as being unpatentable over Wade in view of Cassidy. Claims 2-4 are allowable in light of being dependent upon now allowable claim 1.


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This amendment should place this case in condition for passing to issue. Such action is requested. If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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